



महाराष्ट्र शासन राजपत्र असाधारण भाग आठ

वर्ष २, अंक ७७]

शनिवार, डिसेंबर १७, २०१६/अग्रहायण २६, शके १९३८

[पृष्ठे ६, किंमत : रुपये २७.००

असाधारण क्रमांक १३३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि
विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 2016 (L. A. Bill No. LXIII of 2016), introduced in the Maharashtra Legislative Assembly on the 17th December 2016, is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

PRAKASH H. MALI,
Principal Secretary to Government,
Law and Judiciary Department.

L. A. BILL No. LXIII OF 2016.

A BILL

further to amend the Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra Legislature Members' Salaries and Allowances Act and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978.

XLVII of 1956. WHEREAS it is expedient further to amend the Maharashtra Legislative
XLVIII of 1956. Council (Chairman and Deputy Chairman) and Maharashtra Legislative
XLIX of 1956. Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act, the
Mah. Maharashtra Ministers' Salaries and Allowances Act, the Maharashtra Legislature
VIII of 1978. Members' Salaries and Allowances Act and the Leaders of Opposition in
Maharashtra Legislature Salaries and Allowances Act, 1978, for the purposes

भाग आठ-१३३-१.
(एचबी-१६१८-१.)

(१)

hereinafter appearing; it is hereby enacted in the Sixty-seventh Year of the Republic of India as follows:-

CHAPTER I

PRELIMINARY

Short title and commencement. **1.** (1) This Act may be called the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Act, 2016.

(2) It shall be deemed to have come into force with effect from the 24th August 2016.

CHAPTER II

AMENDMENTS TO THE MAHARASHTRA LEGISLATIVE COUNCIL (CHAIRMAN AND DEPUTY CHAIRMAN) AND MAHARASHTRA LEGISLATIVE ASSEMBLY (SPEAKER AND DEPUTY SPEAKER) SALARIES AND ALLOWANCES ACT.

Amendment of section 3 of XLVII of 1956. **2.** In section 3 of the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act"), for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted. XLVII of 1956.

Amendment of section 10 of XLVII of 1956. **3.** In section 10 of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted.

Deletion of section 10A of XLVII of 1956. **4.** Section 10A of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, shall be deleted.

Amendment of section 11A of XLVII of 1956. **5.** In section 11A of the Chairman and Deputy Chairman and Speaker and Deputy Speaker Salaries and Allowances Act, sub-section (2) shall be deleted.

CHAPTER III

AMENDMENTS TO THE MAHARASHTRA MINISTERS' SALARIES AND ALLOWANCES ACT.

Amendment of section 3 of XLVIII of 1956. **6.** In section 3 of the Maharashtra Ministers' Salaries and Allowances Act (hereinafter, in this Chapter, referred to as "the Ministers' Salaries and Allowances Act"),- XLVIII of 1956.

(1) in sub-section (1), for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted;

(2) in sub-section (2), for the words "the basic pay and dearness allowance and other allowances" the words "the basic pay and dearness allowance" shall be substituted.

Amendment of section 5 of XLVIII of 1956. **7.** In section 5 of the Ministers' Salaries and Allowances Act, sub-section (2) shall be deleted.

CHAPTER IV

AMENDMENT TO THE MAHARASHTRA LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES ACT.

XLIX of 1956. **8.** In section 3 of the Maharashtra Legislature Members' Salaries and Allowances Act, for sub-section (1), the following sub-section shall be substituted, namely:-

Amendment of section 3 of XLIX of 1956.

“(1) Save as otherwise provided in this Act, there shall be paid to the Members, during the term of his office, the salary equivalent to the minimum basic pay and dearness allowance admissible to the Principal Secretary to the Government of Maharashtra and as revised, from time to time.”.

CHAPTER V

AMENDMENTS TO THE LEADERS OF OPPOSITION IN MAHARASHTRA LEGISLATURE SALARIES AND ALLOWANCES ACT, 1978.

Mah. VIII of 1978. **9.** In section 3 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (hereinafter, in this Chapter, referred to as “the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act”), for the words “the basic pay and dearness allowance and other allowances” the words “the basic pay and dearness allowance” shall be substituted.

Amendment of section 3 of Mah. VIII of 1978.

10. In section 5 of the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, sub-section (2) shall be deleted.

Amendment of section 5 of Mah. VIII of 1978.

STATEMENT OF OBJECTS AND REASONS

The Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances Act (XLVII of 1956), the Maharashtra Ministers' Salaries and Allowances Act (XLVIII of 1956), the Maharashtra Legislature Members' Salaries and Allowances Act (XLIX of 1956) and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances Act, 1978 (Mah. VIII of 1978), provide, *inter-alia*, for payment of salary and certain other allowances to the presiding authorities, Ministers, Leaders of Opposition and Members like sitting allowance, telephone allowance, sumptuary allowance, stationery and postage allowance and salary of personal assistants.

2. Considering the overall inflationary trends, increase in the work load and the fluctuating fuel prices and increased need for use of computer and laptop facilities by the Members, the Government of Maharashtra considered it expedient to specify that the salaries and other allowances payable to the Members shall be the amount of salary equivalent to the basic pay and dearness allowance admissible to the Principal Secretary to the Government of Maharashtra and as revised, from time to time. Similarly, in case of the Chairman and the Speaker, the Ministers and the Leaders of Opposition in Maharashtra State Legislature, it was considered expedient to provide that the salaries and other allowances payable to them shall be the amount of salary equivalent to the basic pay and dearness allowance admissible to the Chief Secretary to the Government of Maharashtra and as revised, from time to time. In case of the Deputy Chairman of the Maharashtra Legislative Council, and the Deputy Speaker of the Maharashtra Legislative Assembly, and Minister for State, it was considered expedient to provide that the salaries and other allowances payable to them shall be the amount of salary equivalent to the basic pay and dearness allowance admissible to the Additional Chief Secretary to the Government of Maharashtra and as revised, from time to time. It was also considered expedient to provide for increase in certain other allowances like daily allowance and salary of personal assistants and making provision for the services of computer operator. It was also proposed to increase the amount of pension payable to the persons who have served as Members of the State Legislature. To achieve the purposes, the relevant laws were amended suitably by Mah. Act No. XXXII of 2016. For effective implementation of the said provisions and to carry out certain consequential amendments, it is proposed to amend the said Acts, suitably, by the instant Bill.

3. Hence this Bill.

Nagpur,
Dated 16th December 2016.

VINOD TAWDE,
Minister for Parliamentary Affairs.

FINANCIAL MEMORANDUM

While introducing L.A. Bill No. XLI of 2016, it was estimated that the additional recurring expenditure of Rs. 75 Crore per year.

Although the clauses 2, 3, 6, 8 and 9 of the Bill provides for the amendments relating to the salary and dearness allowance payable to the Chairman and the Deputy Chairman of the Maharashtra Legislative Council, the Speaker and the Deputy Speaker of the Maharashtra Legislative Assembly, the Ministers and the Ministers for State, the Leaders of Opposition in Maharashtra State Legislature and Members of the State Legislature, there is no additional expenditure from the Consolidated Fund of the State on its enactment as an Act of the State Legislature.

**GOVERNOR'S RECOMMENDATION UNDER ARTICLE 207 OF
THE CONSTITUTION OF INDIA**

(Copy of Government of Maharashtra Order, Law and Judiciary Department)

In exercise of the power conferred upon him by clause (3) of Article 207 of the Constitution of India, the Governor of Maharashtra is pleased to recommend to the Maharashtra Legislative Council (Chairman and Deputy Chairman) and the Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 2016.